

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
SPT-PT007

First Named Inventor: Wieth et al.

International (PCT) Application No.: PCT/DE2004/002110

U.S. Application No.:
(if known)

Filed: September 22, 2004

Title: TRANSPORT CAR WITH ANTI-THEFT PROTECTION

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of
371 Transmittal, Declaration, Application, Filing Fee (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

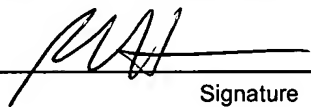
☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

 _____ Signature	<u>5/31/2006</u> _____ Date
Randolph J. Huis _____ Typed or Printed Name	34,626 _____ Registration Number, if applicable
30 South 17th Street, United Plaza, Suite 1600 _____ Address	215-568-6400 _____ Telephone Number
Philadelphia, Pennsylvania 19103 _____ Address	

Enclosures: ☐ Response

☒ Fee Payment

☐ Terminal Disclaimer

☒ Other (please identify):

371 Transmittal, Application, Declaration,
Assignment and Statement Re Delay

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Wieth et al.

Application No.: Not Yet Known

Filed: Not Yet Known

For: TRANSPORT CAR WITH ANTI-THEFT
PROTECTION

Group: Not Yet Known

Examiner: Not Yet Known

Our File: SPT-PT007
(Z_2003_08_US)

Date: May 31, 2006

**STATEMENT RE UNINTENTIONAL DELAY IN SUPPORT
OF PETITION UNDER 37 C.F.R. §1.137(b)**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby state that the entire delay in entering the National Phase for PCT/DE2004/002110 since the original due date of March 22, 2006 until the filing of a grantable Petition under 37 C.F.R. §1.137(b) was unintentional. Applicants, unfamiliar with U.S. patent law, mistakenly understood the U.S. to be a 31-month country for purposes of entering the National Phase based on an International Application. Accordingly, Applicants diligently (based on their incorrect understanding) instructed the undersigned on April 14, 2006 to file the instant application in the U.S. by April 22, 2006 (an erroneous deadline). It was then that the undersigned informed Applicants of their error.

10/581102

AP3 Rec'd PCT/PTO 31 MAY 2006

Applicants: Wieth et al.
Application No.: Not Yet Known


As Applicants had intended throughout this entire time frame to have the application proceed as a National Phase application in the U.S. based on the International Application PCT/DE2004/002110, it is clear that Applicants had always intended the application to enter the National Phase under 35 U.S.C. §371(c) by the original filing deadline. Accordingly, it is respectfully requested that the accompanying Petition be granted and the PCT application be revived for purposes of National Stage commencement under 35 U.S.C. §371(c).

Applicants note that the required filing and Petition fees, translation of the International Application, and the signed inventor Declaration are all enclosed herewith.

Respectfully submitted,

Wieth et al.

By


Randolph J. Huis
Registration No. 34,626
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

RJH/dmm

Enclosures